

AO 91 (Rev. 08/09) Criminal Complaint
 United States District Court
 Southern District of Texas
 FILED

UNITED STATES DISTRICT COURT

JUN 28 2019

JUN 28 2019 for the

David J. Bradley, Clerk

Southern District of Texas

United States of America)

v.)

Yarizma Yamileth PENA)

1996)

USC)

Case No. M-19-1519-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 28, 2019 in the county of Starr in the
Southern District of Texas, the defendant(s) violated:

Code Section

21 USC 841

21 USC 846

Offense Description

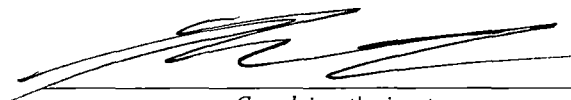
defendant did, knowingly and intentionally possess with the intent to distribute approximately 8.9 kilograms of cocaine, a Schedule II controlled substance, and did knowingly and intentionally conspire to possess with intent to distribute with persons known and unknown approximately 8.9 kilograms of cocaine, a Schedule II controlled substance

This criminal complaint is based on these facts:

Before the United States Magistrate Judge, Southern District of Texas, I, Brian Chapa, Special Agent, United States Homeland Security Investigations, being duly sworn, depose and say the following:

See Attachment A

☒ Continued on the attached sheet.



Complainant's signature

Brian Chapa / HSI Falcon Dam Special Agent

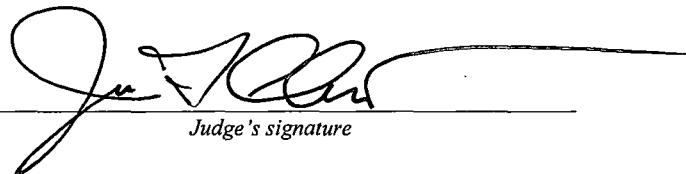
Printed name and title

6/28/19 Approved Angel C. L. to
 AUSA

Sworn to before me and signed in my presence.

Date: 6/28/19 - 4:26 p.m.

City and state: McAllen, Texas



Judge's signature

Juan F Alanis

Printed name and title

Attachment A

On June 28, 2019, a gray Chevrolet Aveo, arrived at the Roma, Texas Port of Entry (POE) attempting to make entry into the United States from the United Mexican States. As the vehicle entered the primary inspection lane of the POE, a Customs and Border Protection Officer (CBPO) conducted an inspection of the US Passport Card presented by the driver identified as Yarizma Yamileth PENA. PENA was the sole occupant of the vehicle.

PENA was questioned as to where she was going, purpose of her trip into Mexico and if she had anything to declare. PENA stated to the Officer she was visiting family in Mexico, she was coming to the local area and had nothing to declare. PENA and her vehicle were released from primary and randomly selected for an x-ray inspection. X-ray inspection revealed several anomalies in the front and rear passenger side doors. The vehicle was then sent to secondary for further inspection and PENA was detained inside the POE. Two K-9 Officers each conducted an open-air search around the vehicle with their narcotics detection K-9s, which alerted to the presence of narcotics on the passenger side doors. CBPO's then conducted a physical search of the vehicle and removed four packages from inside the passenger side front door and four packages from the passenger side rear door, with totaled a weight of 8.90 kilograms. The packages tested positive for cocaine. HSI Special Agents were notified of the situation and arrived at the POE. An interview was conducted of PENA where she was read the Miranda Warning, which she waived. PENA denied any knowledge of the narcotics inside of her vehicle. PENA stated she was the sole owner and operator of the vehicle. She indicated she had owned the vehicle for the past four years. PENA stated she had not loaned the vehicle to anyone else nor had it had any mechanical work done to it or been in anyone else's possession. She indicated she was coming to McAllen to buy tennis shoes and indicated that a male friend had given her \$300 on Monday to come into McAllen to buy the shoes.